

# Thank you for visiting the Fairfax County Circuit Court's *Appearance by Phone*<sup>TM</sup> Webpage!

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**Please note!** Some of the forms that follow **must** be submitted to the Clerk of Court.



These forms and instructions are also available through the Fairfax County Circuit Court's Interactive Voice Response Line. You may request that a set of these forms be faxed to you by dialing **703-691-7320** and following the voice prompts (press 3, then 1, then 6.)

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**Please note!** To use the *Appearance by Phone*<sup>TM</sup> Program, you will also need a **Service Request Form** available only through ConferenceCallService. An explanation regarding the submission of this form, however, is provided in the Circuit Court's instructions that follow this page.

To obtain a **Service Request Form**, simply...



call the ConferenceCallService "Fax on Demand" Line at **1-800-839-2452** and follow the voice prompts,

**OR**



visit their website at [www.appearancebyphone.com](http://www.appearancebyphone.com) and complete and submit the Service Request Form on-line!



**Please note!** **DO NOT** submit the Service Request Form to the Court! It must be submitted **directly** to ConferenceCallService via **toll free** fax at **1-877-226-6337**.

**How to Request An  
*Appearance by Phone*<sup>®</sup>  
on the Fairfax County Circuit Court's  
Friday 10 am Motion Dockets  
(Virginia Licensed Attorneys Only)**

**There are 2 steps involved in requesting an *Appearance by Phone*<sup>®</sup>:**

**First**, counsel must notify the Court  
&

**Second**, counsel must complete and submit a Service Request Form to ConferenceCallService.

***1. Informing the Court***

**If you know you will appear by phone AT THE TIME OF FILING...**

Place a ☒ on the line indicating “Yes” when asked if you want to appear by phone on your praecipe or response form. A new line for this information has been added to both the praecipe and the response forms. You must also note your time estimate on the appropriate form.

**If you have a LAST MINUTE EMERGENCY REQUEST**

**By no later than 9 am on the date of the scheduled motions docket, you must** call the Circuit Court Chambers’ *Appearance by Phone*<sup>™</sup> Coordinator at 703-246-2880 and provide the following information: counsel’s name, the name of the motion(s) in which counsel will appear by phone, which side counsel represents, the case number(s), time estimate(s) and the name of the judge hearing the motion(s). If leaving a message, be sure to include a contact phone number.



## 2. The “Service Request Form”

This document is available **only** through ConferenceCallService.

Whether requesting an *Appearance by Phone*<sup>™</sup> in synch with the filing of a praecipe/response, or only hours before a scheduled court appearance (“last minute emergency requests”), counsel **must** complete and submit to ConferenceCallService a “Service Request Form.” A *separate* “Service Request Form” must be completed for **each** motion in which counsel will appear by phone, even if multiple motions will be presented in the same case.

To obtain a “Service Request Form”, either...



Call the ConferenceCallService **Fax on Demand** line at 1-800-839-2452 and follow the voice prompts. Complete the Service Request Form and fax it to ConferenceCallService, **toll free** at **1-877-226-6337**. (**DO NOT** send the Service Request Form to the Clerk’s office for any reason!)

**OR**



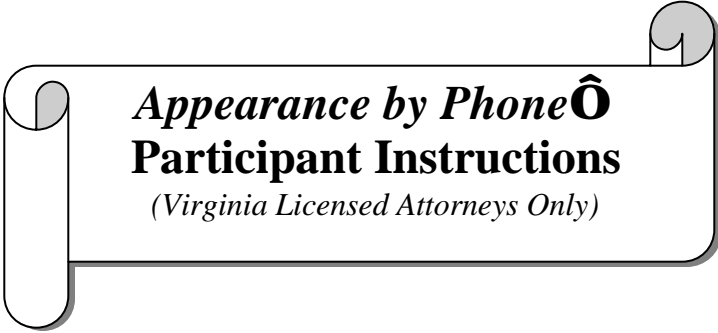
Visit their website at [www.appearancebyphone.com](http://www.appearancebyphone.com) and complete and submit the Service Request Form to ConferenceCallService on-line!

If a “last minute emergency” *Appearance by Phone*<sup>™</sup> is requested, counsel **must** include the name of the judge hearing their motion in the space provided on the Service Request Form. This information can be obtained from the Circuit Court by calling 703-691-7320 (press 3, then 1, then “0” to be transferred to a clerk). Also, every effort should be made to inform opposing counsel of the appearance by phone, i.e. by phone, fax or e-mail.



### *Please Note the Following...*

- ✎ Upon receipt of your request, ConferenceCallService will fax to you a statement confirming that they received your Service Request Form. If you do not receive this statement within 2 hours of submitting your request, call ConferenceCallService at 1-888-527-7327 (5APPEAR).
- ✎ ConferenceCallService will **not** fax a Confirmation Statement if it receives a Service Request Form on the morning of a scheduled *Appearance by Phone*<sup>™</sup>.
- ✎ If you requested a telephonic appearance and your case has been resolved or removed from the docket for any reason, you **must** call ConferenceCallService at 1-888-527-7327 (5APPEAR) no later than one hour before that motion was scheduled to be heard.



## ***Appearance by Phone*** **Participant Instructions** *(Virginia Licensed Attorneys Only)*

1. **Please note**: If you are scheduled to present a motion by phone and that motion is resolved or removed from the docket for any reason, you **must** notify ConferenceCallService at least one hour before your motion was scheduled to be heard.
2. Approximately **5-10** minutes prior to the start of the 10 am motion dockets, a ConferenceCallService coordinator will contact you at the telephone number provided on the Service Request Form. You **must** be available when called.
3. The judge will call the docket at 10 am. Depending on the length of your motion relative to the number and length of the other motions on the docket, your motion will either be heard shortly after 10 am or later in the docket. The coordinator will inform you of this decision once it has been made by the judge.

**If your motion will be heard shortly after 10 am**, you will be placed on hold until the judge is ready for your motion.

**If your motion will be heard later in the docket**, the judge will designate an approximate “call back” time. The coordinator will inform you of this time. You will be disconnected but you will **not** be billed for this portion of the service. The coordinator will call you **5-10** minutes prior to the designated call back time. You **must** be at the phone number provided to ConferenceCallService at this time. Once contact with you has been re-established, you will be placed on hold until the judge is ready for your motion.

4. While on hold, feel free to use your speaker phone option if you have one. You can not hear other callers who are also waiting, nor can they hear you but the coordinator can be reached at **any time** by simply dialing “\*0” on your phone pad.
5. You will continue to hold until your case is called. At the appropriate time, the law clerk will instruct the coordinator to put your call through and your call will be transferred into the courtroom. At this time, you **must** pick up your handset. To ensure quality reception, the use of cellular phones, speakerphones, cordless phones, and public telephone booths are **prohibited** during a telephonic appearance.
6. The coordinator will announce to the bench the case style and the names of the attorneys who are appearing telephonically in your motion. (Remember: It is **NOT** necessary for all counsel in a motion to appear by phone.)

Identify yourself for the record when you speak. Always use proper courtroom decorum – parties who are appearing in person and by phone can hear you as well as the judge. Remember that the judge **always** directs the order of telephonic proceedings.

7. Occasionally, when both parties to a case are presenting motions telephonically, the judge may ask the parties to “step out into the hall.” In this situation, the coordinator will place the callers into a **‘subconference.’** This feature simply takes the call out of the queue so that further discussion can occur between the parties while the judge takes the next case in queue.
  - ❑ At anytime during a subconference, the coordinator can be reached by pressing “\*0” on your phone’s keypad. Be sure to press “\*0” when you are ready to be transferred back to the courtroom. The coordinator will come back on line. There may be a brief wait before your call is transferred, but this should be minimal.
8. Upon the conclusion of a telephonic hearing, the presiding judge will either enter an order, or direct counsel for one of the parties to prepare such an order. In this event, the judge will continue the case to his or her next civil motions docket for the presentation of the order if the attorneys have not forwarded a fully endorsed order to the judge within the time frame set by the judge on the day of the telephone hearing.
9. When the judge indicates that your motion has concluded, disconnect the call by hanging up your receiver.
  - ❑ If, however, you will be presenting multiple motions by phone, **do not disconnect!** After the completion of your first motion, the coordinator will place you on hold momentarily until all parties to the next motion are linked together and the judge has approved the transfer. At that time, your call will be removed from hold status. Follow steps 6 through 8 from above, disconnecting only after the last motion in the last case has been heard.



## **Frequently Asked Questions & Important Notes About *Appearance by Phone*™**

*(Virginia Licensed Attorneys Only)*

### **What is *Appearance by Phone*™?**

*Appearance by Phone*™ is a service that allows Virginia licensed counsel to present **non-evidentiary** matters to the Fairfax County Circuit Court by telephone from any location in the world. *Appearance by Phone*™ is provided by ConferenceCallService, a conference call service provider that coordinates conference calls on a national and international basis.

### **Why should I use *Appearance by Phone*™?**

Because *Appearance by Phone*™ saves you and your clients time and money while increasing productivity and scheduling flexibility. You no longer need to sit in traffic or search for a parking space at the courthouse. Instead, a ConferenceCallService coordinator will bring the courthouse to **YOU** by linking you telephonically with the appropriate courtroom and judge at the appropriate time.

### **When are *Appearance by Phone*™ Motions heard?**

You may request an *Appearance by Phone*™ for motions being presented on either of the Friday 10 am motion dockets. Last minute emergency appearances can be requested until 9 am on the morning of a scheduled motions docket.

### **How much does this service cost?**

The service costs \$35.00 per attorney per motion presented by phone payable to ConferenceCallService. No fee is payable to the court.

### **Do I have to obtain permission from opposing counsel before I appear by phone?**

No, although you must notify the other side of your case that you intend to appear by phone. Do this by certifying in your motion or response that you have copied all opposing counsel with your praecipe or response form and attachments. If you are requesting a last minute emergency *Appearance by Phone*™, every effort should be made to inform opposing counsel by phone, fax or e-mail.

### **Where Can I Find the New Forms & Instructions?**

The Court has created program instructions and new praecipe and response forms allowing you to indicate your request to appear by phone. They are available on the Court's website at [www.co.fairfax.va.us](http://www.co.fairfax.va.us) or through the Court's Interactive Voice Response Line by calling 703-691-7320 and following the voice prompts (press 3, then 1, then 6.) ConferenceCallService forms can be obtained by calling their **Fax on Demand** line toll free at **1-800-839-2452**, or by visiting their website at [www.appearancebyphone.com](http://www.appearancebyphone.com)

**Can one side appear in person while the other appears by phone?**

Yes.

**How does the service work?**

A team of expertly trained “coordinators” performs most of the work without your involvement, including call transfers and connections, bridging of appropriate parties with the corresponding judge and courtroom, etc.

About 5-10 minutes prior to the start of the 10 am dockets, a ConferenceCallService coordinator will call you at the number you specified on your Service Request Form. After the docket call, the judge will have a better sense of when your motion will be heard. (The judge’s law clerk may speak with you briefly before Court starts to get your time estimate.) If your motion will be heard in a relatively short period of time, you will continue to hold until the judge is ready to hear your motion. If it is determined that your motion will be heard considerably later in the docket, the judge will set an approximate “call back” time to hear your motion. The coordinator will make arrangements with you to replace the call at that time.




**How will an order be prepared after my telephonic appearance?**

Upon the conclusion of a telephonic hearing, the judge presiding over your case will either enter an order, or direct counsel for one of the parties to prepare such an order. In this event, the judge will continue the case to his or her next civil motions docket for the presentation of the order if the attorneys have not forwarded a fully endorsed order to the judge within the time frame set by the judge on the day of the telephone hearing.

**What if I want to cancel my request to appear by phone?**

You must call ConferenceCallService (1-888-527-7327) at least one hour prior to your scheduled court appearance if you decide you want to appear in person rather than by phone.



-  Initially, only members of the Virginia State Bar shall present motions by phone.
-  The court’s eventual goal is to allow any motion to be presented telephonically (including briefing schedule motions); initially, however, only non-evidentiary motions will be heard by phone. No pleadings or memoranda can be filed or faxed to the court except as authorized by the existing motions’ procedures of the court. Therefore, no such papers should be faxed to the court the day before or the day of the hearing without prior authorization of the judge conducting the hearing.
-  **The Court reserves the right to refuse any *Appearance by Phone* request.**